

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Examine the
Commission's Future Energy Efficiency Policies,
Administration, and Programs.

Rulemaking 01-08-028
(Filed August 23, 2001)

**OPINION GRANTING INTERVENOR COMPENSATION
TO THE UTILITY REFORM NETWORK****I. Summary**

This decision awards The Utility Reform Network (TURN) \$197,615.13 in compensation for its substantial contributions to Decision (D.) 04-08-019, D.04-09-060, D.04-12-019, D.05-01-055, and D.05-04-051.

II. Background

Rulemaking (R.) 01-08-028 was initiated to examine the policies, administration and program design applicable to future energy efficiency programs. The stated intent was to revise policy rules, program design and evaluation; solicit proposals and select programs for program year (PY) 2002; and reconsider program administration. Since issuing the rulemaking, the Commission has issued several orders modifying policies and program elements, and selecting among competing energy efficiency program proposals.

TURN previously was awarded approximately \$117,000 for its contributions to other decisions in this proceeding. TURN now seeks compensation for its contributions to D.04-08-019, D.04-09-060, D.04-12-019, D.05-01-055, and D.05-04-051.

III. Requirements for Awards of Compensation

The intervenor compensation program, enacted in Pub. Util. Code §§ 1801-1812, requires California jurisdictional utilities to pay the reasonable costs of an intervenor's participation if the intervenor makes a substantial contribution to the Commission's proceedings. The statute provides that the utility may adjust its rates to collect the amount awarded from its ratepayers. (Subsequent statutory references are to the Public Utilities Code unless otherwise indicated.)

All of the following procedures and criteria must be satisfied for an intervenor to obtain a compensation award:

1. The intervenor must satisfy certain procedural requirements including the filing of a sufficient notice of intent (NOI) to claim compensation within 30 days of the prehearing conference. (§ 1804(a).)
2. The intervenor must be a customer or a participant representing consumers, customers, or subscribers of a utility subject to our jurisdiction. (§ 1802(b).)
3. The intervenor should file and serve a request for a compensation award within 60 days of our final order or decision in a hearing or proceeding. (§ 1804(c).)
4. The intervenor must demonstrate "significant financial hardship." (§§ 1802(g), 1804(b)(1).)
5. The intervenor's presentation must have made a "substantial contribution" to the proceeding, through the adoption, in whole or in part, of the intervenor's contention or recommendations by a Commission order or decision. (§§ 1802(i), 1803(a).)

6. The intervenor's claimed fees and costs are reasonable (§ 1801), necessary for and related to the substantial contribution (D.98-04-059), comparable to the market rates paid to others with comparable training and experience (§ 1806), and productive (D.98-04-059).

For discussion here, the procedural issues in Items 1-4 above are combined, followed by separate discussions on Items 5-6.

IV. Procedural Issues

The prehearing conference in this matter was held on September 10, 2001. TURN timely filed its NOI on October 10, 2001. On November 1, 2001, Administrative Law Judge (ALJ) Thomas ruled that TURN is a customer pursuant to § 1802(b)(1)(C), and that TURN meets the significant financial hardship condition through a rebuttable presumption of eligibility, pursuant to § 1804(b)(1), because TURN met this requirement in another proceeding within one year of the commencement of this proceeding (ALJ Ruling dated December 29, 2000, in A.01-09-002). TURN filed its request for compensation on June 24, 2005, within 60 days of D.05-04-051 being issued.¹ No party opposes TURN's compensation request.

We find that TURN has satisfied all the procedural requirements necessary to make its request for compensation.

V. Substantial Contribution

In evaluating whether a customer made a substantial contribution to a proceeding we look at several things. First, did the ALJ or Commission adopt one or more of the factual or legal contentions, or specific policy or procedural

¹ TURN filed an amendment to its compensation request on December 8, 2005.

recommendations put forward by the customer? (See § 1802(i).) Second, if the customer's contentions or recommendations paralleled those of another party, did the customer's participation materially supplement, complement, or contribute to the presentation of the other party or to the development of a fuller record that assisted the Commission in making its decision? (See §§ 1802(i) and 1802.5.) As described in § 1802(i), the assessment of whether the customer made a substantial contribution requires the exercise of judgment.

In assessing whether the customer meets this standard, the Commission typically reviews the record, composed in part of pleadings of the customer and, in litigated matters, the hearing transcripts, and compares it to the findings, conclusions, and orders in the decision to which the customer asserts it contributed. It is then a matter of judgment as to whether the customer's presentation substantially assisted the Commission.²

Should the Commission not adopt any of the customer's recommendations, compensation may be awarded if, in the judgment of the Commission, the customer's participation substantially contributed to the decision or order. For example, if a customer provided a unique perspective that enriched the Commission's deliberations and the record, the Commission could find that the customer made a substantial contribution.³ With this guidance in mind, we turn to the claimed contributions TURN made to the subject decisions.

² D.98-04-059, 79 CPUC2d, 628 at 653.

³ See D.03-12-019, discussing D.89-03-063 (31 CPUC2d 402) (awarding San Luis Obispo Mothers for Peace and Rochelle Becker compensation in the Diablo Canyon Rate Case because their arguments, although ultimately unsuccessful, forced the utility to thoroughly document the safety issues involved).

A. D.04-08-019

In D.04-08-019, the Commission denied Pacific Gas and Electric Company's (PG&E) petition to modify D.03-12-060, D.04-02-059, and D.03-12-062. In the petition, PG&E sought a new balancing account be developed for spending on energy efficiency programs. PG&E claimed these programs were under-funded in the past and that a new balancing account would prevent future budget shortfalls. The Commission agreed with TURN's specific arguments and its conclusion that the balancing account should not be approved.

TURN argued that the PG&E's request for unlimited discretion over the account would interfere with the Commission's ability to oversee the programs. The Commission adopted TURN's position stating that by authorizing PG&E to spend unlimited funds at its discretion, the Commission's discretion and supervision of the energy efficiency programs would be eliminated. (Page 5.)

TURN also argued that PG&E's need for additional funding for the 2003 and 2004 Single Family Rebate Programs was unfounded because PG&E could have shifted funds between programs as needed. The Commission agreed with TURN asserting that PG&E has "100% flexibility with regard to how it allocates funding between programs..." (Page 6.)

Finally, TURN recommended that the proposed decision be modified to impose specific requirements on PG&E to provide TURN with information regarding spending, and to allocate and shift funds in the manner suggested by TURN. PG&E agreed to provide the information and to allocate funds as requested by TURN, a position the Commission deemed "steps in the right direction."

The Commission adopted TURN's factual assertions as outlined above, and PG&E took affirmative steps based on TURN's recommendations. Overall, we find that TURN made a substantial contribution to D.04-08-019.

B. D.04-09-060

D.04-09-060 is an interim order adopting savings goals for electricity and natural gas and clarifying implementation strategies. The Commission adopted several of TURN's positions on issues raised in this phase of the proceeding. In particular, interested parties debated a proposal to require on-bill financing of energy efficiency programs in order to remove barriers to rapid energy efficiency deployment, so the stated goals could be achieved. TURN suggested that the administrator(s) resolve any remaining implementation issues by looking to the practices of other states. The Commission adopted TURN's recommendation in the decision's Ordering Paragraph 4 stating, "[P]rogram administrator(s) should look to the practices used in other states to resolve the ratemaking, cost allocation and consumer protection issues raised by the parties in this proceeding regarding on-bill financing."

The Commission also adopted TURN's proposed editorial clarification to the decision to avoid any potential prejudgment in favor of a multiple administrator structure, a then pending issue. TURN dissuaded the Commission from adopting modifications proposed by Southern California Edison Company (SCE) and the Natural Resources Defense Council (NRDC) that would lengthen the funding cycle. TURN also raised the issue of how the cost of incentives should be accounted for in program cost-effective calculations. This prompted the Commission to identify this issue for resolution in a future phase of the proceeding.

Finally, TURN's comments contributed to the record with regard to what should "count" towards the savings goals, namely by lending support to the utilities' arguments that savings from measures installed under the Low-Income Energy Efficiency program should be counted. The Commission adopted this position.

In view of the above, we find that TURN made a substantial contribution to D.04-09-060.

C. D.04-12-019

In D.04-12-019, the Commission granted the joint petition of PG&E, San Diego Gas and Electric Company (SDG&E), and Southern California Gas Company (SoCalGas) to modify D.03-12-060 regarding natural gas efficiency programs. In collaboration with the Commission's Office of Ratepayer Advocates (ORA), TURN proposed modifications to the petition and filed comments and reply comments. D.04-12-019 adopted most of the elements of the TURN/ORA proposal, as outlined below:

- Modified efficiency program budget to ensure funding targeted to the most cost-efficient program elements.
- Rebates for high performance windows for the Single Family Rebate Program were reduced from \$1/square foot to \$.50/square foot.
- Utilities were directed to update program implementation plans within 10 days of the Commission order.
- The Commission's Energy Division, not the utilities, was to coordinate use of incremental funds to non-utility implementers.

- The 7% administrative cost cap, proposed by the utilities, was excessive and should not be based on a percent of program budgets.

Overall, the modifications proposed by TURN to better protect ratepayer interests were persuasive to the Commission, and we therefore find that TURN made a substantial contribution to D.04-12-019.

D. D.05-01-055

In D.05-01-055, the Commission adopted threshold elements for the post-2005 administrative structure for non low-income energy efficiency programs. These elements included: (1) adopting program choice and portfolio management structure and quality control, (2) assigning responsibility for program evaluation, measurement and verification, and (3) assigning responsibility for program research, analysis and oversight. This was a lengthy and complex process. For efficiency, TURN worked closely with several other parties in a collaborative effort to develop the programs and structures outlined in D.05-01-055. Though not all of TURN's recommendations were adopted, the Commission did use TURN's recommendations in several core areas. To avoid duplication, TURN was careful in its request for compensation to point out its role as part of the collaborative process and to separate the number of hours and expenses it incurred from those of other parties.

As TURN documents in its request for compensation, the Commission adopted specific recommendations TURN presented in its pleadings that were central to the administrative structure for evaluation, measurement and verification (EM&V) activities, including:

- Establishing an administrative structure in which an entity independent of both the program administrator and

program implementers would contract for and manage program and portfolio-level EM&V studies;

- Encouraging on-going coordination amongst evaluators, implementers and administrators and allowing implementers and administrators to review and comment on evaluation methodology and results before impact evaluation results become final, in order to minimize after-the-fact disputes;
- Permitting implementers and administrators to seek Commission resolution of disputes remaining after the informal review process; and
- Establishing a “firewall” between evaluators and program implementers to avoid and mitigate conflicts when consultants are reviewing both EM&V and energy efficiency program delivery.

Additionally, TURN advocated for other policies adopted by the Commission that included affiliate transaction rules, advisory bodies, and compilation of cost and savings information in a standard format. TURN’s comments on the draft decision also led to needed clarifications in the final decision with respect to competitive bidding requirements and partnership programs.

As TURN acknowledges in its request, not all of its positions were adopted in D.05-01-055. In particular, TURN strongly advocated against placing the utilities in the lead administrative role for program choice and portfolio management, and instead supported an “independent administrator” model that was rejected by the Commission. Nonetheless, we believe that TURN’s arguments in favor of this model, though ultimately unsuccessful, enriched the Commission’s deliberations and the record by encouraging debate over the full

range of legal, policy and implementation issues associated with alternative administrative models.

In view of its many important recommendations regarding issues central to the successful outcome of EM&V program oversight, and the contribution of TURN's participation to the overall debate on energy efficiency administrative structure, we find that TURN made a substantial contribution to D.05-01-055.

E. D.05-04-051

This decision updated the energy efficiency policy rules (EEPR) and resolved certain threshold issues related to EM&V for post-2005 energy efficiency programs. As documented in its request, TURN contributed in several ways to the EEPR adopted by the Commission. For example, TURN:

- Supported the types of cost-effectiveness tests for evaluating the performance of energy efficiency that were ultimately adopted in D.05-04-051, and successfully argued against the staff proposal of weighting test results.
- Successfully argued for using the utilities' weighted cost-of-capital discount rate, rather than the lower societal discount rate proposed by some other parties.
- Successfully argued that the draft policy rules should be modified to include more explicit language with respect to critical peak procurement.
- Successfully argued that the policy rules permit funding of some programs for less than a full three-year cycle.
- Successfully argued that the request of Pacific Gas and Electric Company to count "spillover effects" in the calculations of cost-effectiveness and performance basis should be rejected.

- Successfully presented joint recommendations in collaboration with the Natural Resources Defense Council and the Office of Ratepayer Advocates with respect to the resolution of threshold EM&V issues.

Considering these matters, we find that TURN made a substantial contribution to D.05-04-051.

VI. Reasonableness of Requested Compensation

After we have determined the scope of a customer's substantial contribution, we then look at whether the compensation requested is reasonable. TURN initially requested \$200,547.63, in June 2005, for its participation in this proceeding. We subsequently issued D.05-11-031 to address hourly rates for intervenors for work performed in 2005. Pursuant to the principles and guidelines discussed in that decision, TURN amended its compensation request on December 8, 2005, related to work performed in 2005, and adjusted its request to \$198,065.13 (a reduction of \$2,482.50). A computation error in the amended request in the subtotal for attorney's fees further reduces the total by \$450. As amended and adjusted for computation errors, TURN requests \$197,615.13, as follows (amended amounts in bold/italics):

<u>Attorney's Fees</u>					
Hayley Goodson	21.25 Hours	x	\$190 (2003)	=	\$4,037.50
Hayley Goodson	618.5 Hours	x	\$190 (2004)	=	\$117,515.00
Hayley Goodson	82.75 Hours	x	\$190 (2005)	=	\$15,722.50
Hayley Goodson	30.00 Hours	x	\$95 (2005	=	\$2,850.00
			Comp Req)		
Marcel Hawiger	3.75 Hours	x	\$250 (2003)	=	\$937.50
Marcel Hawiger	46.95 Hours	x	\$270 (2004)	=	\$12,676.50
Robert Finkelstein	5.00 Hours	x	\$395 (2004)	=	\$1,975.00
Mike Florio	0.50 Hours	x	\$470 (2004)	=	\$235.00
Matthew Freedman	1.50 Hours	x	\$270 (2004)	=	\$405.00

					Subtotal	\$156,354.00
<u>Expert Witness Costs</u>						
Cynthia Mitchell	199.5 Hours	x	\$115 (2004)	=		\$22,942.50
Cynthia Mitchell	93.75 Hours	x	\$140 (2005)	=		\$13,125.00
	Travel			=		\$915.24
	Lodging			=		\$304.38
William Marcus	3.17 Hours	x	\$195 (2004)	=		\$618.15
					Subtotal	\$37,905.27
<u>Other Expenses</u>						
Faxing				=		\$35.00
Lexis				=		\$461.36
Photocopying				=		\$1,088.60
Postage				=		\$65.43
Telephone				=		\$1,705.47
					Subtotal	\$3,355.86
					TOTAL	\$197,615.13

In general, the components of this request must constitute reasonable fees and costs of the customer's preparation for and participation in a proceeding that resulted in a substantial contribution. The issues we consider to determine reasonableness are discussed below.

A. Hours and Costs Associated with, Related to and Necessary for Substantial Contribution

We first assess whether the hours claimed for the customer's efforts that resulted in substantial contributions to Commission decisions are reasonable by determining to what degree the hours and costs are associated with the work performed, and if the hours and costs were related to and necessary for the substantial contribution.

TURN presented a daily breakdown of the hours and expenses claimed for its attorneys and experts in its request for compensation, accompanied by a description of each activity. TURN also identified the major issues and activities for the purpose of allocating the hours worked. Hayley Goodson was TURN's lead attorney in this proceeding, reporting over four and a half months of active full-time work. Goodson was assisted by other TURN attorneys and two outside expert witnesses, economists William Marcus and Cynthia Mitchell. TURN incorporated the recommendations from Marcus and Mitchell into their presentations. TURN's request is reasonable based on these records.

B. Market Rate Standard

We next take into consideration whether the claimed fees and costs are comparable to the market rates paid to experts and advocates having comparable training and experience and offering similar services. The fees requested by TURN for work performed in 2003 and 2004 in this proceeding previously were approved in other proceedings, as described below, and are adopted here.

The fees TURN requested for work performed in 2005 represent increases from 2004 rates. In D.05-11-031, we addressed hourly rates for intervenors for work performed in 2005. In that decision, we did not authorize any general rate increases for 2005 work, except under certain described conditions and principles. Following these guidelines, TURN amended its compensation request relating to 2005 work.

Attorney Hayley Goodson is responsible for the majority of TURN's work on the five subject decisions. For work performed in 2003 and 2004, TURN is requesting a rate of \$190 for Goodson. In D.05-06-049, we approved this same rate for Goodson for work in both years, and we adopt that rate here. TURN initially requested a \$220/hour rate for Goodson for 2005. Pursuant to

D.05-11-031, TURN amended its request to \$190/hour for Goodson for 2005, and we adopt that rate here.

For expert witness Cynthia Mitchell, TURN requests an hourly rate of \$115 for work performed in 2004. We previously approved this 2004 rate for Mitchell in D.05-01-007 and adopt it here. For 2005, TURN requests a \$140/hour rate for Mitchell. The guidelines in D.05-11-031 set the range of rates for experts for 2005 work at \$110-\$360, and generally call for no rate increases for 2005 above 2004 rates. However, these guidelines do allow for increases of 3%/year for representatives whose last authorized rate was for work prior to 2004; and also allow increases where intervenors' representatives have historically sought rates at or below the range of rates for their peers. We first authorized the \$115 rate for Mitchell in D.01-12-008 for work performed in 2000 and 2001, then again for 2003 and 2004 work in D.05-01-007. Mitchell has been involved in energy and utility matters for approximately 30 years, testifying before boards and Commissions in several states, and acting as a consultant to both public and private energy firms. Considering that \$115/hour is at the extreme low-end of the range of rates for experts with Mitchell's level of experience, and that Mitchell's rate has not been increased since 2000, we adopt the requested rate of \$140/hour for Mitchell for 2005 work.

For attorney Matthew Freedman, TURN requests an hourly rate of \$270 for work performed in 2004. We previously approved this same rate for Freedman for 2004 in D.05-08-027, and adopt that rate here.

For attorney Marcel Hawiger, TURN requests an hourly rate of \$250 for work performed in 2003, and \$270 for 2004. We previously approved these same rates for Hawiger in D.04-12-033 (2003), and D.05-05-046 (2004), and adopt them here.

For attorney Michel Florio, TURN requests an hourly rate of \$470 for work performed in 2004. We previously approved this same rate for Florio for 2004 in D.05-01-029, and adopt that rate here.

For attorney Robert Finkelstein, TURN requests an hourly rate of \$395 for work performed in 2004. We previously approved this same rate for Finkelstein for 2004 in D.05-03-016, and adopt that rate here.

For expert witness William Marcus, TURN requests an hourly rate of \$195 for work performed in 2004. We previously approved this same rate for Marcus for 2004 in D.05-03-016, and adopt that rate here.

C. Productivity

D.98-04-059 directed customers to demonstrate productivity by assigning a reasonable dollar value to the benefits of their participation to ratepayers. The costs of a customer's participation should bear a reasonable relationship to the benefits realized through their participation. This showing assists us in determining the overall reasonableness of the request.

In a rulemaking such as this, productivity is not easily quantified. TURN's contributions to the subject decisions were directed primarily at policy matters, and did not involve issues relating to specific dollar amounts, rates or funding levels. We therefore consider the issue of productivity in the context of the scope of the proceeding and significance of the established policies, as well as the magnitude of the intervenor's impact on the outcome. As discussed above, this rulemaking is the forum for establishing policies and program design related to energy efficiency. The Energy Action Plan and the Commission's procurement decisions identify energy efficiency as "first in the loading order" for utility resource procurement. Clearly, the scope and significance of this rulemaking are far reaching. TURN's contributions to the subject decisions were

numerous and substantial, as described in its request for compensation and summarized in this decision. They have assisted the Commission in developing long-term resource diversity, as well as reducing risks to ratepayers. In these respects, the adopted policies involve qualitative, rather than quantitative measurements, and overall we find TURN's participation to be productive.

D. Direct Expenses

The itemized direct expenses submitted by TURN total \$3,355.86, and include costs for photocopying, postage, telephone/fax, and Lexis use. The cost breakdown included with the request shows the miscellaneous expenses to be commensurate with the work performed and we find these costs reasonable.

VII. Award

As set forth in the table below, we award TURN \$197,615.13, the full amount of its amended request, adjusted for computation errors.

<u>Attorney's Fees</u>					
Hayley Goodson	21.25 hours	X	\$190 (2003)	=	\$4,037.50
Hayley Goodson	618.5 hours	X	\$190 (2004)	=	\$117,515.00
Hayley Goodson	82.75 hours	X	\$190 (2005)	=	\$15,722.50
Hayley Goodson	30.00 hours	X	\$95 (2005	=	\$2,850.00
			Comp Req)		
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Marcel Hawiger	46.95 hours	X	\$270 (2004)	=	\$12,676.50
Robert Finkelstein	5.00 hours	X	\$395 (2004)	=	\$1,975.00
Mike Florio	0.50 hours	X	\$470 (2004)	=	\$235.00
Matthew Freedman	1.50 hours	X	\$270 (2004)	=	\$405.00
Subtotal					\$156,354.00

<u>Expert Witness Costs</u>					
Cynthia Mitchell	199.5 hours	X	\$115 (2004)	=	\$22,942.50
Cynthia Mitchell	93.75 hours	X	\$140 (2005)	=	\$13,125.00
	Travel			=	\$915.24
	Lodging			=	\$304.38

William Marcus	3.17 hours	X	\$195 (2004)	=	\$618.15
			Subtotal		\$37,905.27

Other Expenses

Faxing	=	\$35.00
Lexis	=	\$461.36
Photocopying	=	\$1,088.60
Postage	=	\$65.43
Telephone	=	\$1,705.47
Subtotal		\$3,355.86
TOTAL		\$197,615.13

Consistent with previous Commission decisions, we order that interest be paid on the award amount (at the rate earned on prime, three-month commercial paper, as reported in Federal Reserve Statistical Release H.15) commencing on September 7, 2005, the 75th day after TURN filed its compensation request, and continuing until full payment of the award is made.

We direct PG&E, SDG&E, SCE and SoCalGas to allocate payment responsibility among themselves based upon their California-jurisdictional gas and electric revenues for 2004, the year in which most of the work was performed.

We remind all intervenors that Commission staff may audit their records related to this award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. TURN's records should identify specific issues for which it requested compensation, the actual time spent by each employee or consultant,

the applicable hourly rate, fees paid to consultants, and any other costs for which compensation was claimed.

VIII. Waiver of Comment Period

This is an intervenor compensation matter. Accordingly, as provided by Rule 77.7(f)(6) of our Rules of Practice and Procedure, we waive the otherwise applicable 30-day comment period for this decision.

IX. Assignment of Proceeding

Michael R. Peevey is the Assigned Commissioner, and Meg Gottstein and Steven A. Weissman are the assigned ALJs in this proceeding.

Findings of Fact

1. TURN represents consumers, customers, or subscribers of PG&E, SCE, and SDG&E, all utilities regulated by the Commission.
2. The economic interests of TURN members are small in comparison to the costs incurred in effectively participating in this proceeding.
3. TURN timely filed its NOI and request for compensation.
4. TURN made substantial contributions to D.04-08-019, D.04-09-060, D.04-12-019, D.05-01-055, and D.05-04-051, as described herein.
5. TURN requested hourly rates for attorneys and experts that, as adjusted herein, are reasonable when compared to the market rates for persons with similar training and experience.
6. The total of the reasonable compensation is \$197,615.13.
7. The appendix to this opinion summarizes today's award.

Conclusions of Law

1. TURN has fulfilled the requirements of Pub. Util. Code §§ 1801-1812, which govern awards of intervenor compensation, and is entitled to intervenor compensation for its claimed compensation as adjusted herein, incurred in

making substantial contributions to D.04-08-019, D.04-09-060, D.04-12-019, D.05-01-055, and D.05-04-051.

2. TURN should be awarded \$197,615.13 for its contributions to the above decisions.

3. The comment period for should be waived, and today's order should be made effective immediately.

O R D E R

IT IS ORDERED that:

1. The Utility Reform Network (TURN) is awarded \$197,615.13 as compensation for its substantial contributions to Decision (D.) 04-08-019, D.04-09-060, D.04-12-019, D.05-01-055, and D.05-04-051.

2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas and Electric Company, and Southern California Gas Company shall pay their respective shares of the award. Each utility's share shall be calculated based upon their California-jurisdictional gas and electric revenues for the 2004 calendar year. Payment of the award shall include interest at the rate earned on prime, three-month commercial paper as reported in Federal Reserve Statistical Release H.15, beginning September 7, 2005, the 75th day after TURN filed its request for compensation, and continuing until full payment is made.

3. The comment period for today's decision is waived.

This order is effective today.

Dated _____, at San Francisco, California.

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision? No
Contribution Decision(s):	D0408019, D0409060, D0412019, D0501055, and D0504051	
Proceeding(s):	R0108028	
Author:	ALJ Gottstein, ALJ Weissman	
Payer(s):	PG&E, SCE, SDG&E, SoCalGas	

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
The Utility Reform Network	06/24/05	\$197,615.13	\$197,615.13	No	

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Hayley	Goodson	Attorney	The Utility Reform Network	\$190	2003	\$190
Hayley	Goodson	Attorney	The Utility Reform Network	190	2004	190
Hayley	Goodson	Attorney	The Utility Reform Network	190	2005	190
Marcel	Hawiger	Attorney	The Utility Reform Network	250	2003	250
Marcel	Hawiger	Attorney	The Utility Reform Network	270	2004	270
Robert	Finkelstein	Attorney	The Utility Reform Network	395	2004	395
Michel	Florio	Attorney	The Utility Reform	470	2004	470

			Network			
Matthew	Freedman	Attorney	The Utility Reform Network	270	2004	270
Cynthia	Mitchell	Economist	The Utility Reform Network	115	2004	115
Cynthia	Mitchell	Economist	The Utility Reform Network	140	2005	140
William	Marcus	Economist	The Utility Reform Network	195	2004	195